

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MAYNE PHARMA (USA) INC.,

Plaintiff,

V.

C.A. No. 04-1564 -KAJ

AMERICAN PHARMACEUTICAL  
PARTNERS, INC., BIGMAR, INC.,  
and BIGMAR-BIOREN  
PHARMACEUTICALS, S.A.,

Defendants.

**REQUEST TO CLERK FOR ENTRY OF DEFAULT  
AGAINST DEFENDANT BIGMAR-BIOREN PHARMACEUTICALS, S.A.**

To: Dr. Peter T. Dalleo  
Clerk of the Court  
United States District Court for the District of Delaware

Plaintiff hereby requests the entry of default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure against defendant Bigmar-Bioren Pharmaceuticals, S.A. for its failure to plead or otherwise defend in the above action as provided by the Federal Rules of Civil Procedure, as appears from the Affidavit of Adam W. Poff, filed contemporaneously herewith.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

C. Barr Flinn (No. 4092)  
Adam W. Poff (No. 3990)  
YOUNG, CONAWAY, STARGATT & TAYLOR  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
Wilmington, Delaware 19801  
(302) 571-6698

*Attorneys for plaintiff Mayne Pharma (USA) Inc.*

Dated: June 8, 2005

**CERTIFICATE OF SERVICE**

I, Adam W. Poff, Esquire, hereby certify that on June 8, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Thomas C. Grimm, Esquire  
Morris Nichols Arsht & Tunnell  
1201 North Market Street  
PO Box 1347  
Wilmington, DE 19899-1347

I further certify that on June 8, 2005, I caused two copies of the foregoing document to be served by hand delivery on the above-listed counsel of record and in the manner indicated below following non-registered parties:

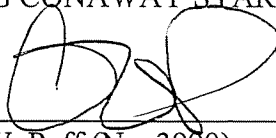
**BY HAND DELIVERY**

Bigmar, Inc.  
c/o Corporation Service Company  
7111 Centerville Road  
Wilmington, DE 19808

**BY REGISTERED MAIL**

Bigmar-Bioren Pharmaceuticals, S.A.  
Via Cadeplano 24/26  
CH-6917 Barbengo, Switzerland

YOUNG CONAWAY STARGATT & TAYLOR, LLP

A handwritten signature in black ink, appearing to be 'AP', is written over a horizontal line.

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Attorneys for Plaintiff